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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,197	02/14/2001	James McSherry	W0008/7000	6059
21127	7590	11/02/2004	EXAMINER	
KUDIRKA & JOBSE, LLP ONE STATE STREET SUITE 800 BOSTON, MA 02109			JARRETT, SCOTT L	
		ART UNIT		PAPER NUMBER
				3623

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/783,197	MCSHERRY, JAMES	
	Examiner Scott L. Jarrett	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02/14/2001.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-39 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-39 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/9/2002</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

2. The abstract of the disclosure is objected to because it is longer than 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 101

3. Claims 1-32 and 39 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process claim to pass muster, the recited process must somehow apply, involve, use, or advance the technological arts.

Regarding Claims 1-32, claims 1-32 only recite an abstract idea. The recited method and apparatus for managing workplace services does not apply, involve, or use the technological arts since all of the recited steps can be performed in the mind of the user or by use of a pencil and paper. The claimed invention, as a whole, is not within the technological art as explained above claims 1-32 are deemed to be directed to non-statutory subject matter.

Mere intended or nominal use of a component, albeit within the technological arts, does not confer statutory subject matter to an otherwise abstract idea if the

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component does not apply, involve, use, or advance the underlying process. In the present case, none of the recited steps are directed to anything in the technological arts as explained above with the exception of the recitation of the terms "database", "network", "web site" and "Internet." Therefore, the terms discussed are taken to merely recite a field of use and/or nominal recitation of technology.

Regarding Claim 39, claim 39 does not utilize the proper computer program product format and effectively recite descriptive material. Claim 39 is therefore deemed to be directed to non-statutory subject matter where there is no indication that the proposed software is recorded on computer-readable medium and/or capable of execution by a computer.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman et al, U.S. Patent 5,884,032.

Regarding Claims 1, 17, 33 and 39 Bateman et al. teaches a method and system for providing and managing workplace services (information, help, support and the like) to a plurality of users through the extension of traditional call center systems and methods to include multi-modal/multi-channel communication channels and Internet technologies (Abstract; Column 2, Lines 5-21 and 49-65). Further Bateman et al. teaches a method and system for providing and managing workplace services to a plurality of users, comprising:

- (a) capturing and utilizing user information (customer database; Figure 1, Element 42; Column 9, Lines 15-24);
- (b) establishing a communication session between the user and a specialist wherein the specialist can provide workplace issue assistance (Abstract; Live Help, Column 2, Lines 22-31), the specialist receiving and using user identifying information (Column 9, Lines 1-32) to access and retrieve detailed information for that user and

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further provide assistance based on the detailed information (Column 6, Lines 1-13, 45-54 and 55-60; Column 9, Lines 21-33) and;

(c) storing information concerning each communication session and the specialist adding the stored information to the background information of the user (Figure 10; Abstract, Automatic Call Distribution (ACD); Column 1, Lines 16-18, Computer Telephony Integration (CTI)).

Bateman et al. is silent on the specific systems and methods comprising a call center or the specific use a knowledge management system.

Official notice is taken that the traditional call center as taught by Bateman et al. (see at least Column 1, Lines 17-25; Column 5, Lines 35-40; Column 7, 30-31) is old and well known in the arts of customer relationship management, help desk, customer service and support, and telemarketing. A call center, also referred to as: multi-purpose contact point, customer interaction center, contact center, e-contact center, customer service center, and/or virtual call center, is a place (physical or virtual) where customer (internal or external) telephone calls or other forms of contact are handled by an organization. More generally contact centers are a central point in a company from which all customer contacts are managed. The contact center commonly includes one or more call centers and other types systems for managing a plurality of customer contact types including: e-mail, newsletters, mail catalogs, Web site/Internet inquiries

and chats, and video. A contact center is generally part of a company's overall customer relationship management (CRM) strategy.

Further it is well known in the art that the purpose of Customer Relationship Management (CRM) is to enable companies to better serve its customers (users) through the introduction of reliable processes and procedures for interacting with those customers. CRM systems generally involve a plurality of key business systems and processes including but not limited to: service, marketing, sales, support, fulfillment, and billing. CRM systems collect, store, analyze, report and utilize a plurality of information garnered from the company's interactions with its customers including but not limited to: customer preferences, buying habits, demographics, specialist performance, service requests, complaints, product returns, and other information inquiries. When a customer calls, the system can be used to retrieve and store information relevant to the customer thereby serving the customer quickly and efficiently, and also keeping all information on a customer in one place enabling companies to reduce costs and encourage new customers.

Customer Relationship Management systems comprise a plurality of systems integrated together in order to provide a complete view of a customer's interaction with the company some of these systems include but are not limited to: legacy systems, computer telephony integration, data warehousing and decision support systems.

It is old and well known in the art that a decision support system (DSS) is defined as a computer program application that analyzes business data and presents it so that users can make business decisions more easily; the users of such systems being

business executives or other knowledge workers. DSS are also commonly referred to as knowledge management systems.

It would have been obvious to one skilled in the art at the time of the invention that the method and system for providing and managing workplace services to a plurality of users through the extension of traditional call center systems as taught by Bateman et al. would have utilized well known and readily available Customer Relationship Management systems and methods for managing workplace services in a workplace resources office (call/contact center). The CRM systems providing the ability to collect, analyze and act on a timely and relevant customer (user) information in a centralized fashion thereby reducing the costs of such customer interactions and increasing the level of service provided to customers.

Regarding Claims 2, 18, 34 Bateman et al. teaches that a communication session can be a telephone call (Column 2, Lines 23-26; Column 8, Lines 10-16; Figure 1, Elements 8, 14, 32, 40 and 42).

Regarding Claims 3, 19 and 35 Bateman et al. teaches that a communication session can be a e-mail (Claim 3; Figure 1, Element 81).

Regarding Claims 4, 20 and 36 Bateman et al. teaches the capturing and utilizing a user information further comprising:

- (a) the use of the workplace resource office (call center) to solicit/capture user information through a plurality of communication channels (Figures 1-11; Column 2, Lines 49-65) and;
- (b) connecting the workplace resource office to a database in order to store the user information (customer database; Column 9, Lines 15-25; Figure 1, Element 42).

Regarding Claims 5, 6, 21, 22, 37 and 38 Bateman et al. teaches a method and system for providing and managing workplace services as discussed above wherein the workplace resources office (call center) is connected to the database via a network, and further wherein the network is the Internet (Claim 1; Column 2, Lines 66-6; Column 7 3, Lines 1-5; Figure 1).

Regarding Claims 7, 8, 23 and 24 Bateman et al. teaches the use and assignment of a user identification (personal) ID code for each of the plurality of users (Customer Line ID (CLID); Column 9, Lines 1-18).

Regarding Claims 9 and 25 Bateman et al. teaches capturing and utilizing a user information as discussed above further comprising the use of a web site to collecting information from a plurality of users (help request form; Claim 1, Column 11, Lines 60-62; Figure 1).

Regarding Claims 10 and 26 Bateman et al. teaches the assignment and use of a personal ID code by the web site to each of a plurality of users (CLID; Column 6, Lines 31-35 and 48-55; Figure 3).

Regarding Claims 11 and 27 Bateman et al. teaches a method and system for providing and managing workplace services as discussed above wherein the specialist is connected to the Internet and further wherein the specialist obtains user identification information from the user, enters the information into the system and the system provides more detailed user information (Column 6, Lines 61-67; Column 11, Lines 60-62; Figure 3; Figure 4, Element 12).

Regarding Claims 12 and 28 Bateman et al. is silent on the specific methods and mechanisms of collecting call related information. However, it is old and well known that call centers, more specifically Automatic Call Distribution, Computer Telephony Integration systems and Customer Information System (Figure 1, Element 42) as taught by Bateman et al., capture a plurality of information related to each contact made with the user. Further it is well known in the art that the categorization of each user contact enables the company to better understand the nature of the contacts made (service request, complaint, support, and the like) and further that this information is a critical component of the management metrics and customer information necessary to manage the workplace services system and workplace resources office effectively.

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It would have been obvious to one skilled in the art at the time of the invention that the method and system for providing and managing workplace services to a plurality of users through the extension of traditional call center systems as taught by Bateman et al. would have utilized well known and readily available call center systems and methods including the categorization of each customer contact and including such information with the customers detailed information in order to efficiently manage the workplace services system.

Regarding Claims 13, 14, 29 and 30 Bateman et al. teaches the integration and analysis of information collected as part of managing workplace services provided b the workplace resources office (Figure 4, Information & Analysis & Action).

Bateman et al. is silent on the specific mechanisms, methods or systems used to perform queries and running reports on a plurality of information collected.

Official notice is taken that performing a query on a database and generating a report from the query is old and very well known in the use of databases. A database by definition is a data file that accepts, stores, and provides data on query by the user. Further the ability to generate reports based on queries of the data in a database being one of the key drivers for using a database.

It would have been obvious to one skilled in the art at the time of the invention that the method and system for providing and managing workplace services to a plurality of users through the extension of traditional call center systems as taught by Bateman et al. would have utilized well known database methods and systems to generate reports from queries on the database thereby providing insight into the efficiency and effectiveness of the workplace services provided by the workplace resources office.

Regarding Claims 15, 16, 31 and 32 Bateman et al. teaches the use a web site (Internet) to provide a plurality of information to a plurality of users and further providing a means for accessing the workplace services provided by the workplace resource office (Column 5, Lines 54-65).

Bateman et al. is silent on the architecture of the web site. However it is old and well known in the art that content rich and/or dynamic web sites are very commonly powered by well known and readily accessible content management systems; these content management systems almost exclusively being architected and implemented using templates (look & feel) and databases (content) in order to provide an means for efficiently managing, presenting and personalizing dynamic web site content.

It would have been obvious to one skilled in the art at the time of the invention that the method and system for providing and managing workplace services to a

plurality of users through the extension of traditional call center systems utilizing Internet technologies and web sites as taught by Bateman et al. would have utilized well known and readily available content management systems in order to efficiently manage the dynamic and personalized workplace services content. The content management systems further providing the benefit of enabling co-branded web sites through the use of look and feel templates.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Tallman, et al., U.S. Patent 5,471,382 teaches a professional services network enabling a large number of subscribers (beneficiaries) to access professional advice and services.
- Toader, U.S. Patent 5,806,043, teaches a method for providing customer support wherein users receive assistance, real-time or time delayed, via electronic mail, phone or the Internet. Users identify themselves using a personal identification number that in turn is used to capture and store user information.
- Bakoglu et al., U.S. Patent 5,983,369, teaches multi-channel/multi-modal customer support utilizing a customer service center and specialist (customer support/service representatives). Specialist provide support for user's complex needs, as well as capture user, call and other pertinent information and further providing access to additional specialists.

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- John P. Desmond, It's the Customer, STUPID - CRM, teaches the importance of customer relationship management (call centers, help desks, customer support, workplace services/resources, sales force automation, and the like) in a corporation's overall business strategy.

- Kalakota et al., e-Business 2.0: Roadmap for Success, teaches the use and importance of Customer Relationship Management methods and systems further comprising of the customer contact center and call center systems and methods (Chapters 3-6) as part of a company's overall business strategy. Kalakota et al. further teaches the extensive use of portals and exchanges (horizontal and vertical) as an essential component of a company's business strategy (Chapter 10).

- Harding, Customer Service and Support Takes to the Web, teaches the use and evolution of well-known business processes (help desk, call centers, sales force automation, customer relationship management, and the like) onto the Internet.

- Foley, Holding the Customer -- Companies turn to data warehousing, automated call centers, Web sites, and integrated apps to keep customers smiling and buying, teaches the use of methods and systems to build lasting relationships with customers through the integrated use of a plurality of systems and methods.

- EmployeeMatters Unveils Fully Integrated Web-Based service for Small and Medium Sized Businesses to Effectively Manage Employee Administration and HR Functions, teaches a means for managing the workplace needs of small businesses through the use EmployeeMatters online portal/exchange/marketplace.

- McCrary, CPA2BIZ Come Roaring into Town, teaches the growing use of online portals wherein a network of companies can provide one another with key business process support that is both horizontal and vertical in nature.

- AmericanExpress.com, Small Business Services/Network, teaches providing workplace services (financial, legal, human resources, and the like) for small businesses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (703) 305-0587. The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJ
10/29/2004



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